Scarning Parish Council

Co-option Policy

1 Introduction

The Parish Council is able to co-opt new councillors after an election when all vacancies have not been filled; when a councillor resigns; is disqualified; or dies.

When co-opting a new councillor, the Parish Council should strive to achieve a balance of members living in all areas of the parish. Councillors should at all times represent the whole parish.

The aim of this policy is to ensure that all applicants are treated fairly, openly and transparently.

2 Background

Ordinary elections are held every 4 years, the next being in 2027. Councillors are elected to serve a 4 year term. A casual vacancy occurs when a parish councillor resigns, dies, ceases to be qualified, or becomes disqualified at any time during the four year period.

3 Qualifications to be a Councillor

A person is qualified to become a councillor if they meet the following criteria:-

3.1. Must be a British Citizen, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which nominated or if there is a poll the day of the election) be 18 years of age or over; and additionally able to meet one of the following qualifications set out below.

- Be registered as a local government elector; or
- Have, during the whole of the previous twelve months, occupied as owner or tenant, land or other premises in the parish, or within 3 miles (4.8km) of it; or
- Have during the whole of the previous twelve months, had their principal or only place of work in the parish.

3.2. Under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

a) holds any paid office or employment of the local council (other than the office of Chair) or of a joint committee on which the Council is represented; or

b) is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or

c) has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or

d) is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:-

If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;

a) if the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;

b) If the person is discharged without such a certificate.

In (a) and (b) above, the disqualification ceases on the date of the annulment and discharge respectively. In (c), it ceases on the expiry of five years from the date of discharge.

4. Procedures in a non-election year

4.1. On receipt of a resignation/notification of death of a councillor, the Clerk will contact Breckland District Council to request a formal notice of vacancy. The Clerk will display the notice on the Council's website, noticeboards and other prominent places in the parish. If after the statutory 14-day period a by-election has not been claimed by at least ten electors then the Parish Council is free to co-opt. The Clerk will advise all members by email that the co-option procedure has commenced.

4.2. The Clerk will ask prospective candidates to:

a. complete an application form (below) providing personal details and information to support their application for consideration by the councillors

b. confirm their eligibility for the position of councillor within the statutory rules by completing an Eligibility Form (below)

Copies of these forms will be circulated to all councillors in advance of the meeting at which these applications will be considered.

4.3. Prospective candidates will be asked to attend a Parish Council meeting at which their application will be considered.

4.4. In advance of the meeting prospective candidates will be provided with relevant information on the responsibilities of being a parish councillor and the nature of their duties. They will also be advised that the Parish Council is not obliged to co-opt any member if it is felt that candidates are not suitable. The importance of regular attendance will be stressed, as well as the need to advise of absence from a meeting.

4.5. At the co-option meeting, candidates will be asked to introduce themselves to councillors, give information on their background and experience and explain why they wish to become a member of the Parish Council. At the public meeting, councillors will vote using a show of hands.

4.6. In order for a candidate to be elected to the Council, it will be necessary for them to obtain an overall majority of votes cast. If there are more than two candidates and there is no candidate with an overall majority in the first round of voting, the candidate with the least number of votes will

drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an overall majority.

4.7. After the vote has been concluded, the Council Chair will declare the successful candidate duly elected. The successful candidate will join the Council meeting as a councillor after signing the Declaration of Acceptance of Office of Parish Councillor form. The successful candidate will be sent the Council's Code of Conduct after the meeting and asked to read it and to sign up to its contents (copy to the Clerk).

4.8. If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are advertised again.

5. Procedures in an election year

If following the close of nominations at an ordinary election of the Parish Council there is a quorum of elected members but some outstanding vacancies, the Clerk will advertise for interested candidates (as already detailed) after the date of the election.

The Council is able to co-opt any time after the election.

The procedures outlined from number 2 will then be followed.

Reviewed without amendment: January 2026.
Next review: January 2028.